

Entered 3-6-00 - sb
CL 99L0144 - ALEXIS HOLMES

CLAIM OF: **MARVIN STEVENSON AND
GLORIA STEVENSON**
1501 Nash Road, NW
Atlanta, Georgia 30331

00- *R* -1823

For damages alleged to have been sustained as a result of
vehicular damage due to a pothole in the road on February 13,
20000, in Englewood Manor, a Atlanta Housing Authority
Property.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVISED REPORT

ADVERSED NOV 20 2000

Public Safety

11/14/00

Clara [unclear]
Max [unclear]

Cesar [unclear]

CERTIFIED
NOV 20 2000
ATLANTA CITY COUNCIL PRESIDENT
Rahm - Pitter

CERTIFIED
NOV 20 2000
Rhonda Dargheim Johnson
MUNICIPAL CLERK



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

November 28, 2000

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Marvin Stevenson and
Gloria Stevenson
1501 Nash Road, NW
Atlanta, GA 30331

00-R-1823

Dear Marvin & Gloria Stevenson:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 20, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0144

Date: 11/01/00

Claimant /Victim: MARVIN STEVENSON AND GLORIA STEVENSON

BY: (ATTY:)

Address: 1501 Nash Road, NW, Atlanta, Georgia 30331

Subrogation: Claim for Property loss \$ 196.00

Bodily Injury \$

Date of Notice: 2/23/00

Method: Written, proper X

Improper

Conforms to Notice: O.C.G.A. §36-33-5 X

Ante Litem (6 Mo.) X

Date of Occurrence 2/13/00

Place: Englewood Manor Atlanta Housing Authority Development

Department

Division:

Employee involved

Disciplinary Action:

NATURE OF CLAIM: Claimant alleged that she sustained damages when she drove over a pothole. However, after investigating claimants' allegation, it was discovered that the alleged incident occurred on the property of the Atlanta Housing Authority which is a separate legal entity from the City of Atlanta.

INVESTIGATION:

Statements: City employee Claimant X Others Written Oral X

Pictures Diagrams Reports: Police Dept Report Other X

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Concur/date 11-02-00

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA

MUNICIPAL CLERK

City Hall

55 Trinity Avenue, S.W.

Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date:

FEB 23

02-23-00P04:38 RCVD

Dear Municipal Clerk:

ENTERED - 3-6-00 - SB

00L0144 - DOBBS JORDAN

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 196.00 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 2-13-00 (month/day/year) 2. Time of Incident: 7:30 PM 3. Police called: Yes ☒ No ☐
4. Location of incident (including street address): Englewood Manor Climax Apt. 2 Englewood
5. Name of your insurance company: DL Casualty Policy No. 06619728
6. State what and how incident occurred: It was raining the night of incident. In rain had filled the pot hole & I did not see the pot hole. It slashed the tire & damaged the rim. It's a wide & deep pot hole.
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
- Your vehicle: Nissan (Make) 88 (Year) 134 PXA (Tag Number) Gloria Sterensm (Driver's Name)
- City vehicle: _____ (Make) _____ (City Driver's Name) _____ (Department/Bureau)
9. Witness: Shirley Lovejoy (Name) 140 climax St #72 (Address) 404-622-2628 (Telephone Number)
- Englewood Manor Apt.
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

Martin Sterensm
(Print Claimant's Name)

1501 Nash Rd NW
(Address)

Atl Ga 30331
(City, State and Zip Code)

404-572-3911 (Work Number) 404-592-1038 (Home Number)

00- R -1823

Council President Pro Tem Starnes
Presided

RCS# 2401
11/20/00
2:00 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-18

00-R-1849
(Morris Voted NAY)

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty
Y Starnes
NV Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
NV Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

00-O-1111
00-R-1693
00-R-1694
00-R-1695
00-R-1696
00-R-1697
00-R-1804
00-R-1835

CONSENT

		11/20/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 00-O-1690 2. 00-O-1691 3. 00-O-1692 4. 00-O-1845 5. 00-O-1864 6. 00-O-0728 7. 00-R-1702 8. 00-R-1703 9. 00-R-1705 10. 00-R-1707 11. 00-R-1850 12. 00-R-1865 13. 00-R-1851 14. 00-R-1873 15. 00-R-1622 16. 00-R-1623 17. 00-R-1699 18. 00-R-1775* 19. 00-R-1776* 20. 00-R-1777* 21. 00-R-1782 22. 00-R-1687 23. 00-R-1668 24. 00-R-1786 25. 00-R-1789 26. 00-R-1799 27. 00-R-1800 28. 00-R-1813 29. 00-R-1814	30. 00-R-1815 31. 00-R-1849# 32. 00-R-1858 33. 00-R-1862 34. 00-R-1787* 35. 00-R-1790 36. 00-R-1791 37. 00-R-1794 38. 00-R-1798 39. 00-R-1861 40. 00-R-1686 41. 00-R-1843 42. 00-R-1869 43. 00-R-1870 44. 00-R-0973 45. 00-R-0816 46. 00-R-1803 47. 00-R-1805 48. 00-R-1806 49. 00-R-1807 50. 00-R-1808 51. 00-R-1809 52. 00-R-1810 53. 00-R-1811 54. 00-R-1812	55. 00-R-1816 56. 00-R-1817 57. 00-R-1818 58. 00-R-1819 59. 00-R-1820 60. 00-R-1821 61. 00-R-1822 62. 00-R-1823 63. 00-R-1824 64. 00-R-1825 65. 00-R-1826 66. 00-R-1827 67. 00-R-1828 68. 00-R-1829 69. 00-R-1830 70. 00-R-1831 71. 00-R-1832 72. 00-R-1833 73. 00-R-1834 74. 00-R-1836 75. 00-R-1837 76. 00-R-1838 77. 00-R-1839 78. 00-R-1840 79. 00-R-1841 80. 00-R-1842 * President Pitts recused himself. # Lee Morris not voting.